

CAUSE NO. 13-19-00237-CR

IN THE COURT OF APPEALS
FOR THE THIRTEENTH JUDICIAL DISTRICT
AT CORPUS CHRISTI, TEXAS

FILED IN
13th COURT OF APPEALS
CORPUS CHRISTI/EDINBURG, TEXAS
11/4/2019 4:41:51 PM
DORIAN E. RAMIREZ
Clerk

DALLAS SHANE CURLEE,

APPELLANT,

VS.

STATE OF TEXAS

APPELLEE.

***APPELLANT'S SECOND
MOTION FOR EXTENSION OF TIME***

TO THE HONORABLE COURT OF APPEALS:

COMES NOW, APPELLANT, DALLAS SHANE CURLEE, by and through his attorney of record, Luis A. Martinez, and files this, APPELLANT'S SECOND MOTION FOR EXTENSION OF TIME, and requests that the time for filing his brief be extended by eight (8) days to Tuesday, November 12, 2019, and as reasonable explanation and request for the extension, would show unto this Honorable Court of Appeals the following:

I.

APPELLANT's Brief was due on, or about, November 4, 2019.

II.

The undersigned attorney is responsible for the preparation of APPELLANT's Brief.

III.

The facts recited in this motion are apparent in the record, known to the Court, or are within the undersigned's personal knowledge and are true and correct.

APPELLANT's counsel respectfully requests an additional eight (8) days to file APPELLANT's brief on the merits. The undersigned is currently completing the brief in this matter. The brief in this matter should be complete and ready to file within the next eight days. Further, because November 11, 2019, is a holiday, Veteran's Day, the undersigned requests 8 instead of 7 days.

Previously, the undersigned was participating in the trial of a capital murder case, *State of Texas v. Raheem Devon Jones* in Victoria County, Texas. The trial commenced on September 23, 2019, and was tried day to day until October 2, 2019. In addition, the undersigned was ill for almost the entire week between October 14, 2019 and October 18, 2019. This time lost caused a slight backlog of about a week, causing other briefing to be delayed about a week as well.

During the last thirty days, the undersigned has also filed briefing and responses in this Hon. Court of Appeals in the following matters, *In re: S.S.C.S.*,

Guajardo v. State and *Benavides v. State*.

In addition, the undersigned has had other obligations for clients and addressed other cases throughout the last thirty days in the local courts.

The request for this extension is necessary to properly prepare and complete the brief in this matter. This request is not made for delay, but so that justice may be done.

IV.

There has been one previous request for extension in this matter. Including the days requested for extension of time in this motion (8 days) and the previous motion (32), the extension of time requested will total 40 days.

V.

The undersigned has attempted to confer with the State and has not heard from the State yet. The undersigned will update the Court when a response is received.

WHEREFORE, APPELLANT requests this Honorable Court of Appeals to extend the time for filing Appellant's Brief by 11 days to Tuesday, November 12, 2019, and for such other and further relief to which Appellant is justly entitled.

Respectfully submitted,

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BY:



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ATTORNEY FOR APPELLANT
DALLAS SHANE CURLEE

VII.

CERTIFICATE OF SERVICE

This is to certify that a true copy of the foregoing document was served upon the Honorable Tom Dillard, Assistant Jackson County District Attorney, in the manner indicated below, on this 4th day of November, 2019, pursuant to the Texas Rules of Appellate Procedure.



Luis A. Martinez

Via Electronic Mail

Mr. Thomas Dillard
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Attorney for the State on Appeal